

Case Number 09-cv-00645-bbc

The above matter coming on to be heard before the above Court, Honorable Barbara B. Crabb, Chief United States District Judge for the Western District of Wisconsin, presiding without a jury, on the 24th day of February, 2010, the plaintiff, United States of America ("Plaintiff"), having appeared by its attorney, the Office of the United States Attorney for the Western District of Wisconsin, and no appearance having been made on behalf of the defendant herein except as may be noted on the record; and the Clerk of the United States District Court for the Western District of Wisconsin having duly entered the default of said defendant; and it further appearing that due notice of application for judgment has been made to the defendant, and that a certificate of service by mail was filed with the Clerk of the United States District Court for the Western District of Wisconsin; and the Court having heard the testimony and fully

advised in the premises, therefore makes and files the following findings of fact and conclusions of law constituting its decision in this action.

Findings of Fact

1. The allegations of the complaint are proven and true.
2. There is now due and unpaid on said note, loan agreements, and mortgage as of the 24th day of February, 2010, the following sum:

SEE ATTACHMENT "A".
3. No proceedings have been had at law or otherwise for the recovery of the sum secured by said note, loan agreements, and mortgage.
4. The real estate is so situated that it cannot be sold in parcels without injury to the interest of the parties.
5. The mortgaged premises are described as follows:

Lot 1 of GREEN COUNTY CERTIFIED SURVEY MAP NO. 661, as recorded on June 28, 1982, in Volume 2 of CERTIFIED SURVEY MAPS of Green County, on Page 212, being a parcel of land located in part of Government Lot 5, Section 28, Township 3 North, Range 9 East, Village of Albany, Green County, Wisconsin.
6. The mortgaged premises have not been abandoned.
7. Due notice of the pendency of this action was duly filed, after the filing of the complaint herein, on the filing of the Lis Pendens on the 30th day of October, 2009, and more than twenty (20) days prior to the trial of this action, in the Office of the Register of Deeds for Green County, Wisconsin, in the manner and form required by law.

Conclusions of Law

1. Plaintiff is entitled to judgment of foreclosure and sale in the usual form, as prayed for in Plaintiff's complaint, and in accordance with the above findings of fact.

2. The defendant waived service of the summons and complaint in the above action, and the signed waiver form has been filed with the court for said defendant, as set forth in the declaration of Megan McDermott, Assistant United States Attorney, Office of the United States Attorney, on file herein; the time for answering said complaint has expired; no answer or other response or appearance has been served on or received by Plaintiff's attorney from or made by the defendant; and the Clerk of Court has duly entered the default of said defendant.

3. Plaintiff is entitled to recover from the defendant the following sum:

SEE ATTACHMENT "A".

4. The mortgaged premises shall be sold as a whole

5. The mortgaged premises have not been abandoned.

6. Deficiency judgment is not being sought in this action.

7. Sale of the premises shall be conducted by or under the direction of the United States Marshal for the Western District of Wisconsin. Notice of sale shall be made by publication in The Monroe Times, a newspaper published in the City of Monroe, County of Green, State of Wisconsin.

8. The defendant and all persons claiming under or through it, after the filing of notice of the pendency of this action, shall be forever barred and foreclosed of all right, title, interest, and equity of redemption in said mortgaged premise so sold.

Now, on application of the Office of the United States Attorney for the Western District of Wisconsin, attorney for Plaintiff,

IT IS ORDERED that judgment of foreclosure and sale of said mortgaged premises, in the usual form as provided by and in accordance with the above findings of fact and conclusions of law, be entered in this action.

Dated this 24th day of February, 2010.

BY THE COURT:

Barbara B. Crabb
BARBARA B. CRABB
Chief United States District Judge
Western District of Wisconsin

ATTACHMENT A

UNITED STATES OF AMERICA v. GREEN-KO ENTERPRISES

Case Number 09-cv-00645-bbc

a.	Principal as of February 24, 2010	\$417,364.99	
b.	Interest as of February 24, 2010	\$ 6,863.02	
c.	Late Fees	<u>\$ 2,058.80</u>	
	Subtotal		\$426,286.81

d. Court Costs and Disbursements:

(1)	Attorney's Fees	\$ 200.00	
(2)	Filing Lis Pendens	<u>\$ 15.00</u>	
	Subtotal:		<u>\$ 215.00</u>

TOTAL AS OF FEBRUARY 24, 2010	<u>\$426,501.81</u>
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